

*West Virginia Secretary of State*

TECHNICAL AMENDMENT TO AN EXISTING RULE

AGENCY: Department of Health and Human Resources

TITLE/SERIES: 64-7

RULE TYPE: Legislative

RULE NAME: Reportable Diseases, Events, and Conditions

FILING DATE OF AMENDMENT: June 2, 2022

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE NATURE OF THE TECHNICAL CHANGES THAT NEED TO BE MADE IN THIS RULE:

Pursuant to the authority of W. Va. Code §16-3-1 and W. Va. Code R. §64-7-3.1.a., the Commissioner of the Bureau for Public Health as the State Health Officer may, by Order filed with the Secretary of State, add or delete a disease or condition in any category that is required to be reported in order to obstruct and prevent the introduction or spread of communicable or infectious diseases into or with the state.

That certain Order of the Commissioner filed on May 2, 2022, remains in effect and is further refined by Order of the Commissioner filed contemporaneously with this Technical Amendment to reflect the current guidance regarding reporting by laboratories.

LIST WITH DETAIL EACH SPECIFIC CHANGE MADE TO THE RULE AND WHERE IT CAN BE FOUND:

At paragraph 3.5.d.7. "SARS-CoV-2" is added as a Category III.B. disease by Order of the Commissioner filed June 2, 2022, and the remaining paragraphs in subdivision 3.5.d. are renumbered; and

At paragraph 3.6.d.14. "Streptococcus, Group B, from a normally sterile site" is deleted by Order of the Commissioner filed June 2, 2022, and the remaining paragraphs in subdivision 3.6.d. are renumbered.

  
Authorized Signature



STATE OF WEST VIRGINIA  
**DEPARTMENT OF HEALTH AND HUMAN RESOURCES**  
Bureau for Public Health  
Commissioner's Office

Bill J. Crouch  
Cabinet Secretary

Ayne Amjad, MD, MPH  
Commissioner & State Health Officer

## ORDER

In accordance with the provisions of W. Va. Code §16-3-1 and W. Va. Code R. §64-7-3.1.a., the Commissioner of the Bureau for Public Health (BPH) and State Health Officer does hereby Order the following technical amendments to the Reportable Diseases, Events and Conditions Legislative Rule.

### Category III.B.

#### §64-7-3.5.d.7.

**ADD:** SARS-CoV-2

**Rationale:** On April 4, 2022, the U.S. Department of Health and Human Services revised COVID-19 laboratory reporting guidance that reduces burden on clinical laboratories, point-of-care testing sites, and facilities. The revised guidance replaces a blanket requirement to report all SARS-CoV-2 test results. The updated guidance reflects more tailored reporting required that is specified by entity and type of testing. To support streamlined reporting and in accordance with the provisions §64-7, the Commissioner does hereby ORDER as follows:

1. No longer require reporting of NEGATIVE results for non-NAAT tests (e.g., rapid, or antigen test results).
2. No longer require reporting of POSITIVE or NEGATIVE results of COVID-19 antibody tests performed.
3. Home tests are not required to be reported.
4. State-sponsored surveillance screening programs are excluded from reporting POSITIVE non-NAAT tests when a confirmatory NAAT test is completed on the same day for any positive non-NAAT tests.

### Category IV.B.

#### §64-7-3.6.d.14.

**DELETE:** *Streptococcus*, Group B, from a normally sterile site

**Rationale:** Group B streptococcal disease (GBS) is the leading bacterial infection associated with newborns in the United States. GBS is transmitted from colonized

women to their infants prior to or during birth. In 2002, the Centers for Disease Control and Prevention (CDC) developed revised guidelines to recommend universal screening to all pregnant women to prevent GBS in infants. Because of the universal screening, women are treated to prevent transmission of GBS to their infant there is no public health action for education and disease prevention. An outbreak of GBS remains a Category I disease, which allows for timely reporting and public health response.

This filing with the Secretary of State includes explanation and background from the State Health Officer and State Epidemiologist needed for these technical amendments.

This order shall take effect immediately upon the date of filing and shall be incorporated as an Appendix to the Rule until such time as the Legislature enacts a revision to the rule, which will incorporate all additions and deletions that have been filed with the Secretary of State since the last Legislative amendment.

Entered: JUN - 2 2022

By: Ayne Amjad  
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Commissioner and State Health Officer